

Message Text

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PAGE 01 MOSCOW 08915 220844Z
ACTION OES-07

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FM AMEMBASSY MOSCOW
TO SECSTATE WASHDC 8958

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E.O. 11652C N/A
TAGS: TGEN PFOR UR US
SUBJECT: S&T AGREEMENT: JOINT COMMISSION (01.00) RELEASE OF UN-
PUBLISHED TECHNICAL INFORMATION

1. DURING DISCUSSION JUNE 21 AYKAZYAN INFORMED SCICOUNS THAT SOVIETS HAVE BEEN UNABLE TO PRODUCE A PROMISED DRAFT ON THE RELEASE OF UNPUBLISHED TECHNICAL INFORMATION UNDER THE SPECIALIZED BILATERALS (SCICOUNS HAD A LONG STANDING AND FREQUENTLY REPEATED REQUEST TO THE SCST FOR SUCH A DRAFT IN RETURN FOR U.S. DOCUMENTATION ON THE SUBJECT PROVIDED THE SOVIETS LAST SUMMER). AYKAZYAN PROPOSED TO TRANSMIT TO SCICOUNS A SECTION OF A BOOK DEALING WITH SOVIET REGULATIONS ON PATENTS AND TRADEMARKS, STATING THIS WAS AS CLOSE AS HE COULD COME TO INFORMATION ON THE SUBJECT. SCICOUNS REJECTED THE OFFER, NOTING THAT PATENTS AND TRADEMARKS DID NOT RELATE TO THE QUESTION AT HAND AND THAT THERE IS ALREADY A SATISFACTORY DRAFT ON INTELLECTUAL PROPERTY DEVELOPED IN THE S&T AGREEMENT. AYKAZYAN AGREED THE MATERIAL HE PROFERRED WOULD BE OF LITTLE VALUE.

2. AYKAZYAN STATED THE REASON THE SOVIETS ARE HAVING DIFFICULTY IS THAT THERE ARE NO PUBLISHED LAWS OR REGULATIONS RELATING TO RELEASE OF UNCLASSIFIED AND UNPUBLISHED TECHNICAL DATA. HE SAID THE PRACTICE IS THAT A RESEARCHER CANNOT RELEASE UNPUBLISHED DATA WITHOUT SPECIFIC PERMISSION FROM THE HEAD OF HIS INSTITUTE, ENTERPRISE OR
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MINISTRY. HE STATE THE SCST CANNOT AUTHORIZE THE RELEASE OF INFORMATION IN LIEU OF THE ABOVE MENTIONED.

3. SCICOUNS NOTED THAT THERE IS AN SYMMETRY BETWEEN THE US AND THE USSR ON THIS MATTER; A U.S. RESEARCHER CAN AND DOES PROVIDE UNPUBLISHED MATERIAL AS LONG AS IT DOES NOT CONTRAVENE SPECIFIC US LAWS AND GUIDELINES; IN THE SOVIET

UNION NOTHING MAY BE RELEASED WITHOUT SPECIAL APPROVAL.
AYKAZYAN AGREED THAT THIS WAS INDEED A SHARP DIFFERENCE IN
PRACTICE BETWEEN THE TWO COUNTRIES.

4. COMMENT: THE EMBASSY IS DISAPPOINTED AT THE LACK OF
RESULTS IN THIS IMPORTANT MATTER, WHICH EVIDENCES SOME DUPLICITY
ON THE PART OF THE SCST. AYKAZYAN FOR WELL OVER SIX MONTHS
HAS BEEN ASSURING THE EMBASSY THAT ARUTONOV HAS BEEN BUSY
AT WORK ON A DRAFT CONCERNING THE RELEASE OF UNCLASSIFIED
AND UNPUBLISHED TECHNICAL INFORMATION, AND AS LATE AS
LAST WEEK STATED THAT GVISHIANI HAD GIVEN DIRECT ORDERS THAT A
DRAFT SHOULD BE COMPLETED BEFORE THE S&T JCM.

5. THE UNWILLINGNESS OR INABILITY OF THE SOVIETS TO PROVIDE
UNPUBLISHED DATA, EVEN OF THE MOST INNOCOUS TYPE, HAS BEEN A
CONSTANT SOURCE OF DIFFICULTY AND IRRITATION ON DELEGATION VISITS
AND COOPERATION IN GENERAL UNDER THE SPECIALIZED BILATERALS.
A RECENT EXAMPLE, WHICH WAS POINTED OU TO AYKAZYAN, PRESENTS
A REDUCTIO AD ABSURDUM OF THE SOVIET POLICY; A LONG-TERM
EXCHANGEES WHO HAD PRODUCED AN UNUSUAL CATALYTIC SAMPLE WAS
UNABLE TO OBTAIN TEST DATA ON THE SAMPLE THE SOVIETS HAD DONE
SINCE THE DATA WAS NOT YET PUBLISHED. (DOCUMENTATION ON THIS
CASE IS BEING FORWARDED TO EUR/SOV AND OES/APT.)

6. THE EMBASSY STRONGLY RECOMMENDS THAT DR PRESS RAISE THIS
ISSUE WITH KIRILLIN EITHER IN PRIVATE DISCUSSIONS OR DURING
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FORMAL JCM MEETING. IN SPITE OF AYKAZYAN STATEMENT TO THE
CONTRARY, WE BELIEVE THE SCST CAN AND SHOULD PROMOTE
THE EXCHANGE OF UNCLASSIFIED AND UNPUBLISHED TECHNICAL DATA
UNDER ITS NEW AUTHORITY "ENCOURAGE AND
FACILITATE" BILATERAL COOPERATION. FURTHER SUGGESTED TALKING POINTS
FOR DR PRESS WILL BE SENT SEPTTEL.
TOON

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NNN

Message Attributes

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Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
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Disposition Event:
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Subject: S&T AGREEMENT: JOINT COMMISSION (01.00) RELEASE OF UN- PUBLISHED TECHNICAL INFORMATION
TAGS: TGEN, PFOR, UR, US
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Type: TE
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